

Housing Benefit

General Information Bulletin

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<https://www.gov.uk/government/organisations/department-for-work-pensions>

ISSN 2054-2836 (Online)

HB G2/2017

17 February 2017

Contact	Queries about the <ul style="list-style-type: none">• technical content of this bulletin, contact details are given at the end of each article• distribution of this bulletin, contact housing.correspondenceandpqs@dwp.gsi.gov.uk
Who should read	All Housing Benefit (HB) staff
Action	For information

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Update: Optional Real Time Information

Background

1. The agreement for delivering both Real Time Information (RTI) Bulk Date Matching (BDM) and Optional RTI to local authorities (LAs) covers the period May 2016 to January 2017, with no delivery between February to April 2017; in line with LAs' request to minimise the impact upon their end of year activities.

Current position

2. Due to the current pause in the Wider Use of RTI (WURTI) rollout, the Department for Work and Pensions' (DWP's) Housing Delivery Division (HDD), in conjunction with the LA Practitioners' Operational Group (POG), has reviewed this agreement and decided to make Optional RTI available between February and April 2017 to those LAs who 'opted in' to the scheme. LAs that 'opted out' will be exempt from this arrangement.
3. HDD have taken this decision as:
 - it presents some case volumes to LAs in support of identifying and mitigating against earnings related fraud and error; in the absence of WURTI
 - the availability of cases provides an opportunity, subject to resource priorities, for LAs to drive activity in support of reaching end of year Fraud and Error Reduction Incentive Scheme thresholds.
4. It should be noted that:
 - LAs are not mandated to action Optional RTI
 - there are no subsidy implications where LAs do not transfer a case from the Optional RTI file into the LA IT system.
5. We would, however, recommend that as many cases as possible are actioned to support the reduction in earnings related fraud and error.

Going forward

6. We reported in Bulletin [HB G9/2016](#) that we were looking at options, in conjunction with LA IT suppliers, for the automation of Optional RTI to reduce LA clerical resource burdens. A solution has since been identified and a rollout schedule agreed. Civica has already implemented an automated solution for their LAs, with Capita and Northgate Suppliers expecting to complete by March 2017.
7. If you need any further information or support contact

la-sst.hdd@dwp.gsi.gov.uk

New policy to limit benefit payable to two children

8. The new policy to limit benefit payable to two children will come into force from 6 April 2017. In July 2016, Neil Couling wrote out to all LA Chief Executive Officers regarding the Universal Credit rollout stating that new claims, where there are three or more children, will not be taken through the Universal Credit claim route at this time. Therefore, if claimants have three or more children, they will not be able to apply for Universal Credit in either Live or Full Service.
9. As of 6 April 2017, claimants, where the household has more than two children at the point of a new claim, will need to apply for [Child Tax Credit](#) and any [other legacy benefits](#) including Housing Benefit (HB) that they may be entitled to.
10. The gateway will be opened at this time so that these claimants can make new claims for legacy benefits and DWP will direct them to GOV.UK accordingly until further notice.
11. For claimants already in receipt of Universal Credit, they will remain on Universal Credit and, where a third or subsequent child is born or moves into the household on or after 6 April 2017, a decision will be made on entitlement taking into account whether exceptions apply.
12. More information and guidance will be communicated in the next few weeks. In the meantime, if you have any queries you can email

housing.benefitenquiries@dwp.gsi.gov.uk.

Update: Personal Details Verification Report

13. Following the publication of circular [HB A9/2016](#), which provides guidance for LAs regarding the Personal Details Verification Report and what action to take, several LAs raised an issue regarding National Insurance Number (NINo) Match 2. This match alerts LAs to the fact there is a potential incorrect NINo allocated to an HB claimant which then requires investigation. LAs have brought to our attention that there are some NINo's contained within this Match with the pre-fix 'SS' and 'ST' that are in fact valid and, therefore, do not require investigation.
14. HDD have explored the issue and it was recognised there were over 23,717 NINo's with the pre-fix 'SS' and 'ST' and we can confirm that they are valid as they are issued on-line to British adult registrations or persons from abroad.
15. As a result we have implemented a fix to remove these nugatory NINo's, which went live on 15 February 2017.
16. The feasibility of a strategic solution to remove future NINo's of this nature is being sourced and will be communicated should the solution prove viable.
17. If you have any questions please email

karen.macauley@dwp.gsi.gov.uk

Cases with the Upper Tribunal

HB/CTB cases awaiting decision by the Upper Tribunal

18. Decision Making and Appeals Leeds has not been made aware of any new HB/CTB cases that are awaiting decision by the Upper Tribunal since our last General Information Bulletin entry in July 2016.
19. Please notify us of cases at the point that the application for leave to appeal is made to the Upper Tribunal office, or the appeal is lodged following grant of leave by a First Tier Tribunal Judge. Please let us know if a case reference (CH/.. or CSH/..) has been allocated.

HB decisions by the Upper Tribunal

20. Decision Making and Appeals Leeds is aware of the following HB cases that have been decided by the Upper Tribunal:
 - CH/2227/16: Regulation 8. Insufficient consideration of whether it was reasonable to treat claimant as liable.
 - CH/1704/16: Removal of Spare Room Subsidy. LA decision confirmed. Nelson followed.
 - CH/968/16: The claimant was unable to provide sufficient evidence to prove five years qualified residence so consequently could not be entitled to HB as he had did not have a permanent right to reside.
 - CH/3313/16: Capital. Remit. Unclear whether claimant was beneficial owner of funds in ISA.
21. Decisions of the Upper Tribunal are published on their website which can be found on GOV.UK.

Queries

22. If you have any queries about cases before the Upper Tribunal Judges or courts, you can contact us by email at fldmdma.customersupportservices@dwp.gsi.gov.uk or fax on 0113 232 4841

Statutory Instruments

23. The following Statutory Instruments (SIs) have been laid:
 - 2017 No.23, The Offshore Installations (Safety Zones) Order 2017, came into force from 30 January 2017

- 2017 No.50, The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order 2017, coming into force from 14 March 2017
- 2017 No.57 (C.5), The Welfare Reform Act 2012 (Commencement No. 11, 13, 16, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017, made on 25 January 2017
- 2017 No.79, The Occupational and Personal Pension Schemes (Automatic Enrolment) (Amendment) Regulations 2017, coming into force 6 March 2017

24. The following Statutory Rules (SRs) of Northern Ireland have been laid:

- 2017 No.18, The Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations (Northern Ireland) 2017, made on 16 January 2017

25. Copies of SIs can now be downloaded from DWP's own website

<http://www.dwp.gov.uk/publications/specialist-guides/law-volumes/the-law-relating-to-social-security/> and the website of the Office of Publication Sector Information <http://www.opsi.gov.uk/stat.htm>

What's new on the web

26. The following items can be found on the website links shown

Document Type	Subject	Link
HB G1/2017	Updates: Benefit cap process HB Decisions by the Upper Tribunal What's new on the web	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/584103/g1-2017.pdf
HB Direct issue 174	National Fraud Initiative 2016/17 Young Persons and Mental Health Community Partner positions now open for applications Update: Wider Use of Real Time Information	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/589421/hb-direct-february-2017-issue-174.pdf

	Update: Universal Credit housing costs and the award of Discretionary Housing Payments	
Circular HB A1/2017	War Pensions: Uprating 2017/18	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/589348/a1-2017.pdf
Circular HB S1/2017	Assurance of Housing Benefit subsidy claims 2018/19 (England only)	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/585740/s1-2017.pdf